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2
3 MINUTES OF THE MERCER COUNTY AGRICULTURAL DEVELOPMENT BOARD
4 MEETING HELD MONDAY FEBRUARY 25, 2008
5 IN THE EXTENSION SERVICE BUILDING
6 930 SPRUCE STREET, TRENTON, N.J.
7 2ND FLOOR CONFERENCE ROOM
8

9 I. CALL TO ORDER

10 Chairwoman Nancy Tindall called the meeting to order at 7:35 PM.
11

12 II. COMPLIANCE STATEMENT

13 Pursuant to the Open Public Meetings Act, notice of this meeting was given to the Trenton Times,
14 Trentonian, Mercer County Clerk, and posted in the Mercer County Administration Building.
15

16 III. ROLL CALL

17 A. Voting Members:

18 Nancy Tindall, Chairwoman - Present

19 Steve Jany, Vice-Chairman - Present

20 Earl Tindall - Absent

21 Peggy McNeill - Present

22 Charles Appelget – Present

23 Scott Ellis – Present
24

25 B. Non-Voting Members:

26 County Planning Board Liaison – Absent

27 Rutgers Cooperative Research and Extension – Jhilson Ortiz, Absent
28

29 C. Others Present:

30 Dan Pace, MCADB Secretary

31 Dan Knox, State Agricultural Development Committee (SADC) representative

32 Leslie Floyd, Assistant Planning Director

33 Jim and Kathy Lyons, and, Scott Morgan their farm manager
34

35 IV. REORGANIZATION
36

37 On a motion by Mr. Jany that was seconded by Mr. Appelget, Ms. Tindall was nominated for the
38 Chairwoman. Ms. Tindall consented and with no other nominees, Mr. Jany moved to close the
39 nominations. Mr. Ellis seconded the motion and by unanimous approval, Ms. Tindall (abstaining
40 from the vote) was elected Chairwoman.
41

42 Ms. Tindall then moved the nomination of Mr. Jany for Vice-Chairman. Mr. Ellis seconded it. Mr.
43 Jany consented and with no other nominees, Mr. Ellis moved to close the nominations. Ms. McNeill
44 seconded the motion and by unanimous approval, Mr. Jany (abstaining) was elected Vice-
45 Chairman.
46

47 Ms. Tindall next asked for a motion to re-appointment Daniel Pace as secretary to the Board. Mr.
48 Bryan made the motion, Mr. Jany seconded and by unanimous approval Mr. Pace was re-appointed.
49 Mr. Jany moved the approval of the re-appointment of Susan Bacso as Board legal counsel. Mr.
50 Ellis seconded the motion and members unanimously approved of the re-appointment.
51

52 Ms. Tindall asked the Board to review the draft schedule for CADB meetings. Ms. McNeill moved
53 the acceptance of the schedule. Mr. Jany seconded the motion and it was unanimously approved.
54

55 The reorganization meeting was closed and the Board moved into its regular meeting.

1
2 V. APPROVAL OF MINUTES

3 Mr. Jany moved the approval of the minutes of the November 19, 2007 Special CADB Meeting.
4 Ms. McNeill seconded. The minutes were approved as submitted with Mr. Appelget abstaining. Mr.
5 Jany moved the minutes for the December 3, 2007 meeting. Mr. Appelget seconded and those
6 minutes were approved as submitted.
7

8 VI. PUBLIC COMMENT

9 There being no other members of the public in attendance, Ms. Tindall asked the Board if they
10 would allow the Lyons to make their request for Agriculture Labor Housing at this point in the
11 agenda. Board members agreed to do so.
12

13 LYONS AGRICULTURAL LABOR HOUSING REQUEST
14

15 Mr. Pace began with a brief re-stating of the request. Although the Lyon's had informally appeared
16 before the Board in January 2008 with their proposal, there has been a significant change from
17 constructing an ag labor apartment within a barn to constructing a single family house for their
18 current farm manager and his family.
19

20 The Lyon's presented the following documents to the Board:
21

- 22 • A draft SADC Application to Construct Residential Unit(s) for Agricultural Labor
23 Employed in a Deed Restricted Farm.
- 24 • Portion of an old site plan for a subdivision of the land prior to it being enrolled in the
25 farmland preservation program.
- 26 • A soil map overlaid on an aerial.
- 27 • A hand-drawn sketch of the proposed barn and single-family house locations.
- 28 • Proposed barn floor plan.
- 29 • Sample illustration and floor plan of the proposed house.
30

31 The Lyon's stated that their plan for the farm is to grow specialty greens year-round in double poly
32 plastic greenhouses, plus, grow seasonal vegetables and fruit. This type of farming requires daily
33 attention and because of the high value of the product, kept under a caretakers 24/7 watchful eye.
34 That is why they are now requesting that their farm manager and his family be allowed a residence
35 on the farm.
36

37 In response to questions from the Board, the Lyon's said that:
38

- 39 • They understand the requirements of agricultural labor housing versus the requirements of
40 exercising an RDSO (an RDSO is available on this farm). Only their farm manager and his
41 family will be living in the house.
- 42 • Their farm manager will be working full-time on the farm.
- 43 • There are currently no structures on the farm.
- 44 • Their proposal is for an approximate 1600 square foot house and they agreed to the Board's
45 request that it be limited to no more than 2,000 square feet of living space.
- 46 • They have had discussions with Hopewell Township regarding requirements to construct
47 the house and barn but have not yet applied for any permits.
- 48 • They will strive to have the farm lane servicing the proposed barn and house to have as
49 minimal an impact as possible on the farmland. They are proposing that the access be from
50 Willow Creek Drive.
- 51 • In answer to a construction timeline, they said that the barn is their first priority with the
52 house to follow.
53
54

1 The Board was also told that the proposed location of the barn and house was chosen for its
2 centrality and ease of access to a public road. Although the structures will be located on Prime soil,
3 over 90% of soils on this 63-acre farm are agriculturally Prime. The Board was also told that
4 because the proposed ag production of the farm will grow incrementally, portions of the farm will
5 likely continue for some time in field crops that have been grown by the farm's former owner (and
6 adjacent preserved farm owner) Steve Niederer.

7
8 Board members were satisfied that a need will exist for on-site management of the farm and that the
9 Lyon's request to construct a house for their farm manager and his family was reasonable. They did
10 advise the Lyon's to work with the NRCS on a conservation plan and to also act quickly to do soil
11 testing for septic suitability.

12
13 On a motion by Mr. Ellis and 2nd by Mr. Jany, the Board unanimously passed a resolution
14 (attached) approving the request and directed Mr. Pace to forward that to the SADC.

15 16 17 VII. CORRESPONDENCE

18 A. Staff discussed a letter from Morris CADB asking for Mercer CADB support of proposed
19 legislation creating the opportunity for CADB's to have alternate members. Board members
20 supported the proposed legislation and on a motion by Mr. Jany, seconded by Mr. Appelget,
21 Board members asked Mr. Pace to forward a resolution of support to Morris CADB.

22 23 24 VIII. COMMITTEE AND STAFF REPORTS

25 A. SADC

- 26 1. Staff noted that SADC staff will soon begin reviewing County PIG Applications/Farm
27 Plans with the Committee. It was uncertain what that meant with regard to County PIG
28 farmland preservation applications. Given this uncertainty, Mr. Jany asked the Board to
29 consider taking action that would oppose the Committee taking any action that would give
30 any particular County a "head-start" in applying for competitive grant funds. The motion
31 was seconded by Mr. Ellis and approved unanimously by the Board. Mr. Pace was
32 instructed to take, if necessary, any appropriate action at the next SADC meeting to voice
33 the Board's concerns.
- 34
35 2. Mr. Knox discussed and handed out pamphlets produced through a project undertaken by
36 SADC staff member David Kimmel. The project was to illustrate ways, using testimonials,
37 how farmers can peacefully co-exist with neighboring residential development.

38 39 B. Land Development Activity

40 None

41 42 C. Status of Farmland Activity

- 43 1. 2001 Round – Weidel/Burd farm has no change in its status.
44 2. 2002 Round – Zygmunt cost-share application on hold while the status of the Zygmunt
45 house and Turnpike widening are determined.
46 3. 2008 Rd – Larry and Michelle Tindall cost-share application; and Wash. Twp./Silver
47 Decoy assignment of DOE are being reviewed by the SADC. Updike/Herman Cost-Share
48 Application will be sent to the SADC soon.

49 50 IX. OLD BUSINESS

51 A. Farm Monitoring Schedule – Staff indicated that a change of date was necessary for the
52 first monitoring visit. The Hamilton farms visit, originally scheduled for Thursday March
53 27th, was changed to Friday March 28th because of a conflict with a SADC meeting.

1 B. CADB farm member Vacancy – Staff reported that Frank D’Amico, Jr. had been appointed
2 by the Board of Freeholders and a formal swearing-in would be conducted by the County
3 Executive. Staff also reported that Board members Nancy Tindall, Charlie Appelget, Earl
4 Tindall, and Peggy McNeil had also been reappointed.
5

6 C. Cherry Grove Farm update – Staff reported that the Lawrence Township Planning Board
7 would soon be forwarding a recommendation to Town Council for their action on a
8 Municipally Approved Farmland Preservation Ordinance. Staff also said that a farmer
9 adjacent to Cherry Grove, Mr. Myers, inquired about the MAFPP and was sent appropriate
10 literature.
11

12 X. NEW BUSINESS

13 A. Status of Farmland Preservation – Staff distributed a one page summary of last year’s
14 activity. This same report was distributed last month to the County Planning Board.
15

16 XI. OTHER BUSINESS

17 None.
18

19 XII. PUBLIC PARTICIPATION

20 None.
21

22 XIII. EXECUTIVE SESSION

23 None was required.
24

25 XIV. ADJOURNMENT

26 The meeting was adjourned at 9:25PM. The next meeting of the MCADB will be on April 7, 2008.
27
28

29 Respectfully submitted,
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31

32
33 Daniel Pace
34 MCADB, Secretary
35
36

37 Date adopted: April 7, 2008
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39 Attachments, if any, are made a part of the permanent record and are filed in the Minute Book, and are
40 located in the Mercer County Planning Division Office. All copies are available upon request.